

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
BOARD OF TRUSTEES OF 1199/SEIU GREATER :
NEW YORK BENEFIT FUND and BOARD OF : 20cv6932 (DLC)
TRUSTEES OF 1199/SEIU GREATER NEW YORK :
EDUCATION FUND, : ORDER
:
Plaintiffs, :
:
-v- :
:
AMBOY CARE CENTER, INC., :
:
Defendant. :
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DENISE COTE, District Judge:

On August 27, 2020, the plaintiffs in the above captioned case filed this action, case number 20cv6932. On the same date, the same plaintiffs filed a substantially similar action in the case captioned Board of Trustees of 1199/SEIU Greater New York Benefit Fund and Board of Trustees of 1199/SEIU Greater New York Education Fund v. Manhattan View Healthcare Center, case number 20cv6936. The defendants in both cases are parties to the same agreements that are the subject of these actions.

On June 30, 2021, the defendant in 20cv6936 moved to dismiss and to compel arbitration. That motion became fully submitted on August 13, 2021. On October 22, 2021, this Court denied the motion to dismiss and to compel arbitration.

On July 29, 2021, the defendants in this case, 21cv6932, moved to dismiss and to compel arbitration, citing the same

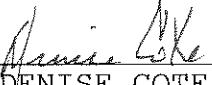
facts and law. The motion became fully submitted on August 23, 2021.

For the reasons stated in the Opinion of October 22, 2021 in the case captioned Board of Trustees of 1199/SEIU Greater New York Benefit Fund and Board of Trustees of 1199/SEIU Greater New York Education Fund v. Manhattan View Healthcare Center, case number 20cv6936, it is hereby

ORDERED that the motion to dismiss and to compel arbitration is denied.

SO ORDERED:

Dated: New York, New York
October 22, 2021



DENISE COTE
United States District Judge